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RE: **OFFICIAL PAPER**

TO: **Examiner Kevin S. Wood**
U.S. Patent and Trademark Office

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MAY 07 2004

FROM: **Eugene J. Rosenthal**
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Lucent Technologies Inc.

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DATE: **May 7, 2004**
Pages (Incl. Cover): **6**

Re: **Amendment Response**
Case No.: **D. T. Neilson 8-4**
Ser. No.: **09/896085**
File Date: **June 29, 2001**
Title: **Imaging Technique For Use With Optical MEMS Devices**

Certification of Facsimile Transmission

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Date


SHARON LOBOSCO

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

David Thomas Neilson
Roland Ryf

CASE 8-4

Serial No. 09/896085 Group Art Unit 2874

Filed June 29, 2001

Examiner K. Wood

Title Imaging Technique For Use With Optical MEMS Devices

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Enclosed is an amendment in the above-identified application.

NO ADDITIONAL FEE REQUIRED

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 12-2325 as required to correct the error.

Respectfully,

Eugene J. Rosenthal, Attorney

Reg. No. 36658

732-949-1857.

Date:

5/7/04

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
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SHARON L. LOBOSCO

Serial No. 09/896,085

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2874IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s): D. T. Neilson
R. Ryf

Case: 8-4

Serial No.: 09/896,085

Group Art Unit: 2874

Filed: June 29, 2001

Examiner: Kevin S. Wood

Title: Imaging Technique For Use With Optical MEMS Devices

THE COMMISSIONER OF PATENTS AND TRADEMARKS

WASHINGTON, D.C. 20231

SIR:

RESPONSE

This communication is in response to the Office Action dated April 6, 2004.

Remarks

Claims 1-20, 22-24, and 27-32 are pending in the application

Claims 11 and 12 stand allowed.

Claims 1-8, 13, 15-20-27, and 30-32 are rejected under 35 U.S.C. 102(c) as being anticipated by United States Patent No. 6,330,102 issued to Daneman et al. on December 11, 2001.

Claims 9, 10, 14, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,330,102 issued to Daneman et al. on December 11, 2001.

Rejection Under 35 U.S.C. 102

Claims 1-8, 13, 15-20-27, and 30-32 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,330,102 issued to Daneman et al. on December 11, 2001.

The Office Action maintains the prior rejection, stating in response to applicants' arguments that, although there are some MEMS devices in Daneman et al. that rotate about mutually orthogonal axes, there are, however, pairs of MEMS device disclosed by